

House Study Bill 239 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act relating to the licensure of medical cannabidiol
2 dispensaries.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124E.8, subsection 1, paragraph a, Code
2 2023, is amended to read as follows:

3 a. The department shall ~~issue a request for proposals accept~~
4 applications to select and license ~~by April 1, 2018, up to~~
5 five ten medical cannabidiol dispensaries to dispense medical
6 cannabidiol within this state consistent with the provisions
7 of this chapter. The department shall license new medical
8 cannabidiol dispensaries or relicense the existing medical
9 cannabidiol dispensaries by December 1 of each year.

10 Sec. 2. Section 124E.8, subsection 2, Code 2023, is amended
11 by striking the subsection.

12 Sec. 3. Section 124E.8, Code 2023, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 3A. The department shall not issue more
15 than one license for a medical cannabidiol dispensary per
16 county.

17 Sec. 4. Section 124E.9, subsection 1, Code 2023, is amended
18 to read as follows:

19 1. a. ~~The medical cannabidiol dispensaries shall be located~~
20 ~~based on geographical need throughout the state to improve~~
21 ~~patient access.~~

22 b. A medical cannabidiol dispensary may dispense medical
23 cannabidiol pursuant to the provisions of this chapter but
24 shall not dispense any medical cannabidiol in a form or
25 quantity other than the form or quantity allowed by the
26 department pursuant to rule.

27 Sec. 5. MEDICAL CANNABIDIOL DISPENSARY LICENSES — CURRENT
28 LICENSEES.

29 1. The department of health and human services shall accept
30 applications for new medical cannabidiol dispensary licenses
31 from current licensees between July 1, 2023, and October 1,
32 2023.

33 2. Notwithstanding section 124E.8, subsection 3, in
34 evaluating an application pursuant to this section, the
35 department shall consider only the security, physical layout,

1 and plan for technology at the proposed location.

2 3. A licensee submitting an application pursuant to
3 this section may hold a maximum of four medical cannabidiol
4 dispensary licenses, including the licensee's current license.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill relates to the licensure of medical cannabidiol
9 dispensaries.

10 The bill increases the maximum number of medical cannabidiol
11 dispensary licenses in the state from 5 to 10. The bill
12 prohibits the department of health and human services from
13 issuing more than one medical cannabidiol dispensary license
14 per county. The bill strikes a provision requiring the
15 department to locate medical cannabidiol dispensaries based on
16 geographical need throughout the state.

17 The bill requires the department of health and human
18 services to accept applications for medical cannabidiol
19 dispensary licenses from current licensees between July 1,
20 2023, and October 1, 2023. In evaluating an application from
21 a current licensee, the department shall consider only the
22 security, physical layout, and plan for technology at the
23 proposed location. A licensee may hold a maximum of four
24 medical cannabidiol dispensary licenses.

25 The bill strikes a provision in current law requiring a
26 medical cannabidiol dispensary to agree to begin supplying
27 medical cannabidiol by December 1, 2018.